

REMARKS/DISCUSSION OF ISSUES

By this Amendment, Applicant amends claims 1, 12 and 13 to correct minor informalities. Accordingly, claims 1-6 and 8-13 are pending in the application.

Reexamination and reconsideration are respectfully requested in view of the following Remarks.

STATEMENT OF SUBSTANCE OF EXAMINER INTERVIEW

The undersigned attorney thanks Examiner Hollweg for the courtesy of a brief telephonic discussion regarding this application on 22 October 2009.

The discussion addressed the following issues:

(1) the claimed feature that a conduction member is connected to a second current-supply conductor and extends through an opening in the center section of the reflector, and a contact member is provided on a surface of the reflector facing away from the discharge lamp, where the contact member is connected to the conduction member;

(2) the claimed feature of first and second contact members provided as first and second circular conducting strips around the reflector on a surface of the reflector facing away from the discharge lamp;

(3) the assertion in the Office Action that FIG. 1 shows a non-functional device; and

(4) the claimed features of a fixation means being provided in an opening of a reflector in which a discharge lamp is mounted, and a conduction member guided through the fixation means.

No agreement was reached. However, the undersigned attorney indicated that he would present a response with detailed arguments and the Examiner agreed to review the case upon receiving the forthcoming response.

OBJECTIONS TO THE CLAIMS

The FINAL Office Action objects to claim 13 as lacking a period at the end of the claim. Applicant amends claim 13 to add the period.

The FINAL Office Action also objects to claims 1, 12 and 13 on the grounds that the phrase "*issuing to an exterior of the lamp*" supposedly lacks antecedent basis for the lamp. While Applicant respectfully disagrees that the phrase has any deficiency of antecedent basis, simply in order to advance prosecution of this application, Applicant amends claims 1, 12 and 13 to recite "*issuing to an exterior of the discharge lamp.*"

Accordingly, Applicant respectfully requests that the objections to the claims be withdrawn.

OBJECTIONS TO THE DRAWINGS

The FINAL Office Action objects to FIG. 1, alleging that it illustrates a non-functional device. Specifically, the FINAL Office Action states that if the lamp assembly shown in FIG. 1 were inserted into a holder in any rotational position, then the conduction member 9 would contact the contact member 20. Applicant disagrees and respectfully traverses this objection.

Contact member 20 is a circular conducting strip arranged around the neck portion 12 of reflector 11. Conduction member 9 passes through contact member 20 and the neck portion 2 on which contact member 20 is disposed. If the assembly shown in FIG. 1 is rotated, then of course contact member 20 and conduction member 9 both rotate with that same rotation, and their relative positional relationship remains unchanged.

Accordingly, Applicant respectfully requests that the objection to the drawings be withdrawn.

35 U.S.C. §§ 102 & 103

The FINAL Office Action rejects: claims 1-6, 8-9, 11 and 12 under 35 U.S.C. § 102 over U.S. Patent 5,945,776 to Koster *et al.* ("Koster"); claim 10 under 35 U.S.C. § 103 over Koster in view of U.S. Patent 6,525,454 to Calon *et al.* ("Calon"); and claim 13 under 35 U.S.C. § 103 over Koster in view of WO/2003/022013 ("Kika").

Applicant respectfully traverses these rejections for at least the following reasons.

Independent Claim 1

Among other things, the high pressure discharge lamp assembly of claim 1 includes a conduction member connected to the second current-supply conductor and extending through an opening in the center section of the reflector, and a contact member provided on a surface of the reflector facing away from the discharge lamp, where the contact member is connected to the conduction member. Applicant respectfully submits that Koster fails to disclose this combination of features.

The FINAL Office Action cites element 6 in Koster as supposedly corresponding to the recited contact member. However, element 6 in Koster is not "provided on a surface of the reflector facing away from the discharge lamp" but instead is provided at an extreme end of cap 5 located furthest away from reflector 10.

The "Response to Arguments" section of the FINAL Office Action states that "[i]t is the position of the examiner that the cap element (5) is an element of the reflector assembly." In response, Applicant notes that claim 1 does not recite a contact member provided on a surface of a reflector assembly facing away from the discharge lamp. Instead, claim 1 recites a high-pressure discharge lamp assembly that includes a discharge lamp, and a concave reflector, with a contact member provided on a surface of the reflector facing away from the discharge lamp. Besides the plain language of the claim itself, which meaning would be easily understood to anyone, Applicant also notes that Koster specifically denotes element 10 to be a reflector and element 5 to be a separate lamp cap. It is noted that the present specification also discloses a lamp cap 21 in the embodiment of FIGs. 3A-B.

Thus, it is clear from Koster, the present specification, the general knowledge in the art, and plain English that **Koster's lamp cap 5 is not a reflector.** Accordingly, for at least the reasons above, Koster does not teach or suggest at least one feature of claim 1. Therefore, a *prima facie* case of anticipation has not been established and claim 1 is patentable over the applied art.

Dependent Claims 2-6, 8-9 and 11

Claims 2-6, 8-9 and 11 depend from claim 1 and are deemed patentable for at least the reasons set forth above with respect to claim 1. Accordingly, Applicant

respectfully requests that the rejections of claims 2-6, 8-9 and 11 be withdrawn.

Dependent Claim 10

Claim 10 depends from claim 1. Applicant respectfully submits that Calon does not remedy the deficiencies of Koster as set forth above with respect to claim 1, and therefore claim 10 is deemed patentable for at least the reasons set forth above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection of claim 10 be withdrawn.

Independent Claim 12

Among other things, in the high pressure discharge lamp assembly of claim 12, the discharge lamp is mounted in a fixation means provided in the opening of the reflector, and a conduction member is guided through the fixation means. Applicant respectfully submits that Koster fails to disclose this combination of features.

The previous Office Action cited elements 25-28 in Koster as supposedly corresponding to the recited fixation means provided in the opening of a reflector and in which a discharge lamp is mounted. Now, however, the FINAL Office Action cites elements **9 and** 25-28 in Koster as supposedly corresponding to the recited fixation means, and states that an unlabeled conduction member connected to current-supply conductor 8 of Koster corresponds to the conduction member of claim 12. Element 9, however, is not a fixation means provided in an opening of reflector 10 and in which lamp 2 is mounted. Rather, element 9 is just a surface of lamp cap 5, and it is not provided in an opening of reflector 10. In addition, Applicant respectfully submits that Koster's unlabeled conduction member, a cross-section of which is shown as a cross-hatched circle in FIG. 4, is not guided through elements 25-28, but instead passes outside of elements 25-28.

The "Response to Arguments" section of the FINAL Office Action states that *"the fixation means additionally includes surface 9 and other labeled and not labeled elements."*

As explained above, element 9 is part of a fixation means provided in an opening of a reflector in which a discharge lamp is mounted.

Furthermore, Applicant is unable to respond to a vague recitation of *"other labeled and not labeled elements"* or consider the applicability of any such

unidentified elements to Applicant's claim. In that regard, Applicant respectfully notes that M.P.E.P. § 706 states that "[t]he goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity." Also, 37 C.F.R. § 1.104(c)(2) states that: "[i]n rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, **the particular part relied on must be designated as nearly as practicable**" (emphasis added). So Applicant respectfully also traverses the statement in the Office Action that reference numerals are only provided as a convenience.

Here, Applicant has been left to guess what additional elements in Koster the Examiner may or may not consider to comprise a fixation means provided in an opening of a reflector in which a discharge lamp is mounted. This frustrates the goal of efficient prosecution of the application, and prevents Applicant from fully considering the Examiner's argument and determining whether it is believed to be meritorious and if so, whether or how the claim may be amended to distinguish over the reference.

However, as stated above, given the only elements that the Examiner has cited thus far as corresponding to the fixation means of claim 12 in which the lamp of claim 12 is mounted, and given the undersigned attorney's best understanding of Koster, Applicant respectfully submits that Koster does not disclose a combination of a fixation means provided in an opening of a reflector in which a discharge lamp is mounted, and a conduction member that is guided through the fixation means. Accordingly, Applicant respectfully submits that Koster does not disclose the discharge lamp assembly of claim 12.

Therefore, for at least these reasons, Applicant respectfully submits that claim 12 is patentable over Koster. Accordingly, Applicant respectfully requests that the rejection of claim 12 be withdrawn.

Independent Claim 13

Among other things, the high pressure discharge lamp assembly of claim 13

includes: a first contact member provided as a first circular conducting strip around the reflector on a surface of the reflector facing away from the discharge lamp, the first contact member being connected to the conduction member; and a second contact member provided as a second circular conducting strip around the reflector on the surface of the reflector facing away from the discharge lamp, the second contact member being connected to the first current-supply conductor.

Applicant respectfully submits that the cited art does not teach any high pressure discharge lamp assembly including this combination of features. In particular, Applicant respectfully submits that Koster does not disclose first and second contact members provided as first and second circular conducting strips around the reflector.

The FINAL Office Action states that Koster does disclose a first circular conducting strip around the reflector on a surface of the reflector facing away from the discharge lamp as element 5.

Applicant respectfully disagrees. Applicant respectfully submits that cylindrical ring contact 6 is provided on an interior surface of cap 5 and not on a surface of a reflector (e.g., reflector 10) facing away from a discharge lamp.

The FINAL Office Action also states that Kika discloses in FIG. 2A first and second contact members 17a and 17b provided around a lamp assembly on a surface of the lamp assembly facing away from discharge lamp 2.

However, claim 13 does not recite a first contact member provided as a first circular conducting strip around a lamp assembly on a surface of the lamp assembly facing away from the discharge lamp, and a second contact member provided as a second circular conducting strip around the lamp assembly on the surface of the lamp assembly facing away from the discharge lamp. Instead, claim 13 recites a first contact member provided as a first circular conducting strip around a reflector on a surface of the reflector facing away from the discharge lamp, and a second contact member provided as a second circular conducting strip around the reflector on the surface of the reflector facing away from the discharge lamp. Meanwhile, Applicant respectfully submits that Kika's first and second contacts 17a and 17b are provided on cap 16, not on a surface of a reflector.

So, Applicant respectfully submits that no possible combination of Koster and Kika could produce the high-pressure discharge lamp assembly of claim 13.

Therefore, for at least these reasons, Applicant respectfully submits that claim 13 is patentable over the cited art. Accordingly, Applicant respectfully requests that the rejection of claim 13 be withdrawn and that claim 13 be allowed.

CONCLUSION

In view of the foregoing explanations, Applicant respectfully requests that the Examiner reconsider and reexamine the present application, allow claims 1-6 and 8-13 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

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